

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TERRY LYNN JONES,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. C16-135RSL-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Judge J. Richard Creatura, United States Magistrate Judge, and the relevant record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.¹
- (2) The matter is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for further consideration.

¹ Defendant does not object to the bulk of the Report and Recommendation, but asks the Court not to adopt certain statements in Part 2 of the Discussion. The challenged statements appear in the context of the Report and Recommendation's conclusion that substantial evidence does not support the ALJ's finding that plaintiff has the residual functional capacity to perform medium work. Because this conclusion is sufficiently justified by Part 1 of the Discussion (finding that the ALJ insufficiently considered available medical evidence), the Court need not address the statements identified by defendant.

- 1 (3) **JUDGMENT** is for plaintiff and the case should be closed.
- 2 (4) The Clerk is directed to send copies of this Order to counsel of record.
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5 DATED this 4th day of January, 2017.

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8 Robert S. Lasnik
9 United States District Judge

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